FULTON REPLIES

Oregon Senator Likens Little Bob to lago.

HE ATTACKS TO GET MONEY

Misrepresents in Order to Gain Sympathy.

POSITION ON RATE BILL

Why Mr. Fulton Did Not Vote for Ineffectual Amendments-His Real Work for True Railway Legislation.

ASTORIA, Or., April 29 .- (Special.)-In an interview with The Oregonian correspondent this afternoon, United States Senator Fulton answered Senator La Foliette's criticism of his attitude toward the Wisconsin Senator's proposed amendments to the railway rate bill. Senator

Yes, I observe that Senator La Follett is traveling about the country delivering lectures at so much per lecture and wilfully misrepresenting his Republican associates in the Senate. However, lectur-ing is his business. He has no other. He have seen it stated in some papers where he has spoken that he says he was offered ing language: \$10,000 a year by a railroad company to represent it, but that he declined. Why not, when he can make three times that amount by misrepresenting others? His misrepresentations though wilful and wanton are probably not open to the charge of being malicious. They are prompted solely by necessity. He must attract attention to his lectures. Could be would probably not studiously misrepre sent them, how his caronial principle is,

My friend, get money; get a large estate By honcet means; but get—at any rate. "In the Senate he pays no attention whatever to legislation excepting such as he thinks he can work up into material for a lecture. His lectures are the main point with him, for through them comes his thirty thousand or more per annum

No Attention to Committee Work.

"He is, for instance, a member of the am chairman. It is one of the most im- A judge ought not to be permitted to for the use of the cars. portant committees of that body, indeed, d to it than any other committee, as all relief bills and bills for payment of claims go to it. The tion, or the subject matter of the suit be pay the penalties. Accordingly, with a committee meets once every week during He has been a member ever since he entered the Senate, over two not years now, and yet he has never attended but one meeting of the committee. He professes to be a Republican, yet he has. without a single exception to my knowledge, voted with the Democrats ever since has been in the Senate whenever a division has occurred on party lines.

I have not heard any of the speeches he has delivered in Oregon, and my information concerning them is based en tirely on what I have seen in the public press, and been told by those who have heard him. According to these reports, if he does not so state in terms, he seeks to convey the impression that in the rail ad rate legislation I constantly voted in the interest of the corporations and against the interest of the people, and so r as I have been able to ascertain he bases that charge on two votes I cast. One vote was on an amendment proposed by him May 12, 1906, disqualifying any judge who owns stock or bonds of a railroad company engaged in interstate commerce, or who accepts or uses any pass or free transportation, from presiding at the trial of any case arising under

the Interstate Commerce act. Fulton Explains Vote.

"While it is true that I voted to table that amendment, I did so for the following very good and substantial reasons: the Senate had adopted the following

amendment the following clause, for which I also voted, namely;

And any person other than the persons excepted in this provision who uses any such interstats free cicket free pass, or free transportation, shall be subject to a like

Now, it must be apparent to all that when we had made it a crime to issue a free pass, it would have been an absurdity free pass, it would have been an absurdity to provide that a judge who used one should not preside at the trial of a particular case. How could we assume that rate is reasonable or unreasonant judge would have a pass when it was able it is necessary to ascertain the a crime to lasue or grant one? It is a crime to commit larceny, but it has never been thought nocessary to provide by statute that a judge who commits that offense receives the stolen property shall not eside at the trial of a largeny case. To have adopted the La Follette amendment would have been not only to assume that

a judge would, but that he lawfully might use or travel on a pass, the issuance of which was not only against prohibited by law, but made a criminal offense. Such an assumption was and is to my mind iment voted as I did, excepting Mr. La Follette (if he may be designated as a Repub-lican) and Mr. McCumber, of North Da-

Provision Already on Statutes.

"But, it may be asked, should not a judge who owns stock or bonds of a rallread be prohibited from presiding at a trial to which such railroad is a party? Of course he should, but aside from the fact that the amendment which proposed to prohibit him from so doing was joined with the abourd provision regarding passes, it is and always has been the law that a judge having any pecuniary interst in the subject matter of a suit cannot sit in judgment on the case. Such is the rule at common law without any statute, but Congress as early as 1839 directly rec-



Made Peace With Tammany.

is engaged in this work for what there is is so related to or connected with either In it and the more he abuses others the party as to render it improper for him more there is in it. It is reported that to preside, he is prohibited from so doing. he is making over \$30,000 per annum. I This rule is recognized and established by section \$15, Revised Statutes, in the follow-

"It will be seen that this general provision entirely covers the case and a judge who owns stock or bonds of a railroad corporation, or of any other railroad or corporation "connected with" it is necessarily interested in the outcome of law is also much preferable to a spe-Senate committee on claims, of which I cial provision, for it applies to all cases. preside in any cause where he has any The penalties are now so high for the interest, directly or indirectly, whether the party be a railroad or other corpora- no road can afford to keep the cars and interests. Under the existing law he can-

Endangered Whole Bill. "The other proposed amendment against which I voted and for which he criticises

me, as I am informed, is what is known

as his valuation amendment. By it he proposed to require the Commission forthwith to proceed and ascertain the actual value of the railroad property of every railroad in the United States engaged in interstate commerce and report the same to Congress. It was provided that 'all final valuations by the commission shall be prima facia evidence of the fair value of the railroad property in all proceedings under this act." It was con-tended by Mr. LaFoliette that such a provision was necessary to supply a basis on which to determine what a reasonable rate in a given case would be. I am not disposed to contend that some such provision would not be of value but it did not seem to me to be sufficleatly important or urgent to justify copardizing the passage of the oill. We had reached an agreement in the compromise, relative to the principal provision of the bill on which we had been divided and which we had de bated over five months. The great and paramount desire of the friends of the bill was to secure a law au-thorizing the Commerce Commission to declare a rate established by a carrier unreasonable and to substitute such rate therefor as it deemed reasonable Prior to that date, namely, on May 5, and denying to the courts power to distant turb the rate so substituted, unless it should be shown to be confiscatory.

We had succeeded. The compromise That no carrier engaged in interstate or give any free ticket, free pass, or free transportation to any person except to the officers, agents, employes and attorneys of the carrier issuing the same, or to ministers of religion, inmates of hospitals, elemosynary or charitable institutions. Any carrier violating this provision shall be deemed guilty of a misdemeantor and shall far each offense pay to the United States a pensity of not less than \$100 nor more than \$2000. or each orders has also nor more been accepted, but they were not deemed vital to the main principle of deemed vital to the main principle of the bill. Take this amendment, for mendment the following clause, for of the commission in the matter of ascertaining the value of railroad property, except that it authorized them to ascertain it in advance of any complaint about rates. As the law is, if a rate shall be challenged, the commission has ample power to inquire into and asceriain the vaiue of that particular railroad. Indeed, the value of the railroad, for it holds that the railroad is, as a role, entitled to a fair return on that value, and a fair re-turn only. The Commission is now au-

> all witnesses required and to competheir attendance and the production of books, maps and papers. The amend (Concluded on Page 8)

thorized by law to subpoena any and all witnesses required and to compel

CAR THIEVES

Refuse Equipment For Offending Lines.

SHORTAGE NO LONGER FEARED

Legal Way to Decline Through Routing.

MUST AGREE TO BE GOOD

New Rules Permit Members of Com bine to Cut Out Business of Connecting Lines Unless the Cars Are Promptly Returned.

CHICAGO, April 29.—(Special.)—Drastic neasures are to be adopted by the rallroads of the entire country to stop car stealing and thereby compel the roads which are short of equipment to provide hemselves with a sufficient number of ears to transport their traffic.

Acting upon legal advice, all of the allroads which are interested in stop ping car stealing have decided to boycott eliminating this evil from the transportation world. In so doing the railroads expect to end the car shortage and to prevent a recurrence of a scarcity of equipment which paralyzes the business of the country.

The railroad boycott will consist of a refusal by all roads which are members of the per-dlem and the car-diversion agreements to permit their cars to go to railroads which are not members of these agreements and also a refusal to make through rates over such lines.

This is a direct and positive boycott only to reads which are short of equip ment and which have refused to become parties to the two agreements mentioned. Before this severe measure was determined upon Attorney W. J. Calhoun, of Chicago, was asked for a written opinion regarding the legality of such a boycott, and his reply to the American Railway Association was a favorable one

Through rates mean through routing the suit and is also "so related to and the cars, and where reasonable rules and and both expressions involve the use of the sant and is also so related to the connected with" such corporation that he cannot preside at the trial or hearing of a cause to which it is a party. He would route. Under this ruling a most rigorous route. be subject to impeachment if he did. A boycott can be maintained against roads general provision, such as the existing which steal the equipment of connecting turn or without adequate compensation

misuse of cars by connecting lines that lands, stocks, bonds or other property or boycott in force those railroads which

MUST RUN TRAINS TO CONNECT

Supreme Court Upholds State Power Over Railronds. WASHINGTON, April 29.-The Supreme

pel a railroad company operating in that state to so adjust its schedule as to ac-commodate passengers on other lines from any particular part of the state. The opinion was given by Justice White in the case of the Atlantic Coast Company vs. the Corporation Commission of North Carolina.

arcilina.

The Commission directed the company The Commission directed the company to make connection at Selma with a train on another line. The company resisted on the ground that the order could not be complied with without putting on a special train. This, it was contended, amounted to taking property without due process of law. The Supreme Court of North Carolina held against the rauroad company and its decision was confirmed by today's action on the ground that the order does not affect rates, but is a proper act of state regulation. act of state regulation.

ARMOUR CARLINE OBDURATE

Enter Claim That Company Is Exempt From Ruling. LINCOLN, Neb., April 29. - The



States Circuit Court of Appeals, Who Has Affirmed Sentence on Packers for Receiving Rebates.

Armour Carline Company, in a letter to the State Railway Commission made public this evening, declines to flie its schedule of rates. The general counsel of the company writes, in response to a notice sent out by the commission, that he has "tried to give the law a broad interpretation," but that, as the Armour line does its busi-ness exclusively with the rallways and not with the public generally, he does not consider that it comes under the

ourt's jurisdiction The commission is insistent and has referred the matter to the Attorney-General. Most of the railroads of the state completed their rate schedules to-Members of the commission said those who had not filed, but shown a disposition to do so. would be granted a few days of grace.

PROPOSE TO TEST RATE LAW

Union Pacific Joins in Movement to Resist 2-Cent Fare.

LINCOLN, Neb., April 29.-A letter om Union Pacific headquarters to from Union Pacific headquarters to the State Railway Commission today intimates that the roads contemplate resistance to the 2-cent passenger rate The letter is an answer to at why the Nebraska patrons were no being given the benefit of the 2-cent rate on interstate travel. tois the Union Pacific says that the are the main offenders will be compelled lawyers for that line and others are seriously disposed to unite in a suit attacking the validity of the law.

Brown and Roosevelt Confer.

WASHINGTON, April 28.—President Roosevelt had an extended conference with W. O. Brown, senior vice-president of the New York Central Railroad, today. Mr Brown would say nothing about his tajk with the President, but admitted that Court of the United States today decided tajk with the Fresident, but admitted that in effect that the Railroad Commission of the State of North Carolina can comstuation with Mr. Roosevelt.

A SLIGHT OBSTACLE IN THE WAY OF MR. THOMAS, DEMOCRATIC CANDIDATE FOR THE

MAYORALTY NOMINATION

CANDIDATE THOMAS-"IS THAT A REAL LION IN MY PATH, OR ONLY A STUFFED ONE."

Peace Between Murphy and McClellan.

MÉANS RECOUNT BILL IS DEAD

"Big Tim" Sullivan Recognized as Tammany Chief.

BINGHAM'S HEAD TO GO OFF

Mayor Not to Be Hampered, but Appointees Must Not Be Anti-Tammany-Wants Harmony on Own Terms.

NEW YORK, April 29,-(Special.)-Pollowing a series of conferences between "Big Tim" Sullivan, representing Tammany Hall, and Corporation Counsel W. B. Ellison, acting as the estensible spokesman of Mayor McClellan, a truce to active warfare, if not an abiding peace, was proclaimed today as having been ratified between the powers of Tam many and the forces of the municipal ad ministration. Politicians usually well informed accepted the following as the principal condition of the peace treaty:

That Mayor McClellan is to remain un nampered in making such appointments and pursuing such policies in the municipal administration as he deems to be for the public good.

Mayor Will Not Fight Tammany.

That the Mayor in turn is to refrain from making war on the organization at the primaries and from making such appointments as would indicate antagonism to Tammany Hall.

That the Sullivans are more than eve in the saddle and that the Mayor in his future relations with the county organisation will recognize "Big Tim" as the chief of Tammany, rather than Charles F. Murphy, though no effort is to be made to oust Murphy from the laader-

That the Sullivans demand the head of Police Commissioner Bingham. That Tammany will swing its influence

and its votes in Albany in opposition to the Mayoralty recount bill, thus, with the ready aid of Republican Senators, forcing that measure to die a natural death and enabling Mayor McClellan to peacefully complete his present term without having to worry about the out come of any possible contest.

McClellan for Harmony.

Mayor McClellan, in giving out a formal statement announcing the per

said to the reporters:
"If the elements that constitute Tammany Hall wish to harmonize on that plan, then I am for harmony." When asked about the formal announce

ment of peace, he was asked: "Does it mean that peace has been declared?"

"It looks that way."

Hery limmer

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Were you a party to the agreement? 'Not personally, but Mr. Sullivan rep sented the organization and to that extent I was a party."

'Did Mr. Sullivan consult you before meeting Mr. Ellison."

'Yes; he went into the conference with ny full concurrence." Mayor McClellan tonight stated his at-I have made no deal and have author

I have making of no deal which alters my position in any way. It is and shall be my ambition to give to the city the best administration that is possible. Government and factional politics will not be permitted to interfere. I take back nothing I have said concerning the management of the light of the property of the concerning the management of the cratic organization. If the elemen that constitute Tammany Hall wish to har monize on that plank, then I am for he mony. For a political peace, which is needful to my park in the city, state at the Nation, I shall go as far forward any man, but not one step backward.

Mr. Ellison, after the conference, gave ut a statement in which he said the Mayor will be left free to appoint th highest class of men he could find for city offices, but that he (Ellison) will advise against the appointment of mer or its leaders. Mr. Sullivan, he said, agreed that only



ries F. Murphy, Leader of Tamenciled With Mayor McClellan.

efficient men should be retained in o appointed to city offices. The Mayor will recognize the rights of its leaders to con-trol, the Democratic organization, and will ask that the organization give him its support in his efforts to solve the great municipal problems which confront them. In that way it was hoped to cradicate the lines drawn between the organization and the administration.

POOR OLD ALTON B. PARKER

the Candidate I Did Not Want," Says Bryan.

PORTLAND, Me., April 29 .- William J. Bryan, as the guest of honor at the ninth annual banquet of the Maine Democratic Club, spoke for an hour on political ishere tonight. Mr. Bryan sald he had been exceedingly honored by the

"I have nothing to ask of the American eople. All I ask is a chance to pay back the debt I owe to them." In reference to the last Presidential

ampaign, he said he did not get just the platform he wanted, and added: "But I got just the candidate I did not

want at all. However, I did what I could to support the ticket. Our party had its experiment and will not try it again. Perhaps it is just as well it did. At last we are going into a campaign united on the right side of the questions. Two years ago we were united on the

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IN EIGHT YEARS

Secretary Taft Tells of Canal Progress.

TRIBUTE TO FRENCH

Rouses Great Enthusiasm in Cincinnati.

CHIEF GUEST AT BANQUET

Busy Day in Home City, Where He Takes Time to Confer on Political Situation With the

Ohlo Leader.

CINCINNATI, April 29 .- "If the Panama Canal is not completed within eight years, I shall be greatly disappointed. If it is completed in less time than that I shall not be greatly

This statement made tonight by Secretary of War Taft before the Business Men's Club of this city, was loudly applauded by the 1500 members of the club gathered at the banquet hall. The banquet tendered the Secretary by the Business Men's Club came as the climax to the last of three days of his Western trip, and it was a fitting culmination to the flattering reception that has been extended to him on every side by his Ohio friends. The hall was packed to its utmost capacity, and more than 400 applications for tickets of admission to the banquet were declined because there was

no room for the late applicants. The last day of the Secretary's trip was full of work for him and crowded with receptions flattering to him, both as an orator and as a man. In the morning he delivered an address to the students of the law school of Cincinnati University, where he still holds his position as dean of the law school. Later he appeared on the floor of the Chamber of Commerce and made a brief address.

Has Political Conference.

This afternoon the Secretary conferred with N. C. Wright, of Cleveland, regarding the Ohio political sit-Mr. Wright told him of the position of the leading Republicans in the northern part of the state. Tonight's banquet was one of the most pretentious affairs of the kind ever seen in the city. The appearance of Mr. Taft was the signal for an outburst of applause that continued for several minutes.

Judge Horace H. Lurton, of Nashville, former colleague of Secretary Taft upon the Federal Bench, introduced nim. Secretary Taft announced that he would speak on "The Panama Canal," and particularly upon the improvements and rapid progress in the work. Said the speaker:

work. Said the speaker:

It is only by a comparison of the conditions existing at the time of my two visits that I am able to give an adequate idea of the work that has been accomplished and of the present condition of the work. I would like, in passing, to pay a tribute of justice to the French people, for what they did down there has never been properly appreciated by the American people. The great danger of the work of this character under the auspices of the American people is that the work of construction will be undertaken before the work of preparation is completed. I do not think that the preparatory work of the last two years has been productive of anything but the most beneficial results.

Selects Sites for Locks.

Selects Sites for Locks.

My visit this year was to settle the ques-tion of the location of the locks, the comple-tion of which will, in my opinion, mark the completion of the canal. It is possible however, that the finish of the work is Haskin on romance of Louisiana. Page 4.
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Heavy shipments of wheat being sent from Eastern Washington. Page 6.
Commerce and Marine.

Provide for Continuity of Work.

To us in responsibility it is a great confort to be able to introduce the Army engineers upon the work. We have three of them there, and if one falls out, the continuity of the work will not be disturbed.

No doubt engineers from civil life would act in a similar manner, but it any of you gentlemen have ever managed a work of magnitude where everybody had the right to poke in his nose and insist upon this and that, you would know how great is the relief to have that done away with. The records of the Army is a guarantee that the work will be capably and honeatly performed.

Finds Cuban Conditions Good.

As to Cuba, he declared that the Teller resolution had established our policy there. He continued:

there. He continued:

Change by insurrection was about to be adopted when we intervened. We suggested means of settlement, and, with conferences with both the Moderales and Liberals, the matter was brought to an end. But when we took charge we promised to stay only "till tranquility had been restored and a firm government established." It may be all right to talk about annexation and a protectionate, but we made a solemn promise, and we cannot afford not to carry it out. He estimated that it would require un-

(Concluded on Page 7.)